

47. The method of claim 42, wherein the phosphate backbone modification occurs at the 3' end of the nucleic acid.

48. The method of claim 42, wherein  $X_1X_2$  are nucleotides selected from the group consisting of: GpT, GpG, GpA, ApA, ApT, ApG, CpT, CpA, CpG, TpA, TpT, and TpG; and  $X_3X_4$  are nucleotides selected from the group consisting of: TpT, CpT, ApT, TpG, ApG, CpG, TpC, ApC, CpC, TpA, ApA, and CpA.

49. The method of claim 42, wherein  $X_1X_2$  are GpA and  $X_3X_4$  are TpT.

50. The method of claim 42, wherein  $X_1$  and  $X_2$  are purines and  $X_3$  and  $X_4$  are pyrimidines.

51. The method of claim 42, wherein  $X_1X_2$  are GpA and  $X_3$  and  $X_4$  are pyrimidines.

52. The method of claim 42, wherein the immunostimulatory nucleic acid is 8 to 40 nucleotides in length.

53. The method of claim 42, wherein the immunostimulatory nucleic acid, has a sequence including at least the following formula:



wherein  $X_1$ ,  $X_2$ ,  $X_3$ , and  $X_4$  are nucleotides and N is a nucleic acid sequence composed of from about 2-25 nucleotides.

#### REMARKS

Claims 2-41 are canceled herewith and new claims 42-53 are added. Applicants respectfully request that the claims be examined. An early and favorable action is hereby requested.

Applicants have also amended the specification to insert the Sequence ID Numbers and to make each of the amendments set forth in the preliminary amendment filed in US Serial No. 08/960,774, and to add the listing of related cases. Additionally Sequence ID No.

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